



TO: House Judiciary Committee

FROM: Audrey Dunkel, Vice President Government Relations

Date: February 14, 2022

RE: Proponent Testimony for House Bill 2652

The Kansas Hospital Association, on behalf of our 122 community hospital members, as well as Kansas Medical Society and Kansas Academy of Family Physicians, appreciate very much the opportunity to provide comments supporting House Bill 2652.

Kansas hospitals and physicians continue to serve on the frontlines in responding to increased patient volumes across the state. The flexibilities implemented under Senate Bill 283 have allowed hospitals to address staffing shortages, maintain safe access to care for patients, and make necessary adjustments to care provision to keep patients safe without fear of legal repercussions. However, over the past few months, we have seen additional increases in patient volumes that have contributed to strains on the healthcare system.

As many of you are aware, our hospitals and physicians are feeling the effects of myriad challenges that are currently contributing to increased emergency room volumes and wait times - bottlenecks in our ability to transfer patients between facilities, decreased inpatient services and care that isn't emergency in nature.

Contributing to these current strains on the system is a combination of many of the following:

- routine care needs;
- delayed care;
- increased COVID-19 cases between the previously prevalent Delta variant and the fast-spreading Omicron;
- increases in other respiratory and seasonal viruses such as the flu;
- increased need for early intervention treatments such as monoclonal antibody therapies with limited supplies;
- overall global supply chain issues.

These challenges have made it clear to Kansas hospitals and physicians that to face increased patient needs related to COVID-19 and other conditions, the provisions passed in SB 283 need to be extended. We believe that the extension of the following provisions is critical to our Kansas hospitals' and physicians' ability to respond to patient needs. Those provisions included in House Bill 2652 are as follows:

- Extension of the liability protections for healthcare providers allows continued response without exposing healthcare facilities, which are already financially vulnerable to litigation with serious financial consequences.
- Extension of the authorization for a hospital to exceed licensed bed capacity should a particular region see a surge in inpatient volumes and allow hospitals to utilize non-hospital space for testing, triaging, or patient care.
- Extension of telemedicine flexibilities that allow physicians to issue a prescription for or order to administer medication for a patient without conducting an in-person examination.

The extension of these flexibilities is vital to addressing the continued impact of COVID-19 on the health care system for all Kansans.

Thank you for your continued support of Kansas hospitals and physicians.